

IC 34-49

ARTICLE 49. BONDS

IC 34-49-1

Chapter 1. Fixing of Bond

IC 34-49-1-1

Fixing of bond by judge

Sec. 1. (a) This section applies whenever:

- (1) any bond or undertaking is required in connection with any civil action or proceeding brought in any court of Indiana; and
- (2) in the absence of any provision of law specifying the amount of the bond or undertaking.

(b) The judge of the court shall fix the penalty in an amount that the judge considers adequate, but not less than one hundred dollars (\$100).

(c) This section does not preclude a full and complete reconsideration of the sufficiency of the amount by the judge of the court in which the action or proceeding is pending upon the motion of any aggrieved party.

As added by P.L.1-1998, SEC.45.

IC 34-49-1-2

Deposit of cash, check, or draft instead of bond

Sec. 2. (a) This section applies when any bond is required by law to be filed in any civil, criminal, or probate proceedings, whether in a circuit court, superior court, or a city court.

(b) The officer with whom the bond is required to be filed may accept a deposit of cash or a properly certified check or draft for the full amount of the bond instead of a bond.

(c) This section shall not be construed as mandatory on any court or officer, but as conferring a privilege that may be exercised for the convenience of litigants.

As added by P.L.1-1998, SEC.45.

IC 34-49-1-3

Examination of surety

Sec. 3. Every court and officer authorized to take any bail or surety has authority to examine, on oath, the person offering to become a bail or surety, concerning the person's property, and sufficiency as a bail or surety.

As added by P.L.1-1998, SEC.45.

IC 34-49-1-4

Money instead of bail

Sec. 4. Any person required to give bail may deposit with the clerk the amount of money for which the person is required to give bail, and immediately be discharged from arrest.

As added by P.L.1-1998, SEC.45.